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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:16-cv-00695GCM

BARONIUS PRESS, LTD.,)
)
Plaintiff,)
)
vs.)
)
SAINT BENEDICT PRESS, LLC,)
)
Defendant.)
_____)

VIDEOTAPE 30B(b) (6) DEPOSITION OF BARONIUS PRESS, LTD.

BY PAVEL KEJIK (Continued)

(Taken by Defendant)

Charlotte, North Carolina

Thursday, March 22, 2018

VOLUME II

Reported in Stenotype by
Mary L. Labonte, RPR
Transcript produced by computer-aided transcription

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EXHIBITS

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On March 22, 2018, commencing at 8:56 a.m., the videotape 30(b) (6) deposition of BARONIUS PRESS, LTD. BY PAVEL KEJIK was continued, pursuant to notice and pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, on behalf of the Defendant, at the law offices of Essex Richards, 1701 South Boulevard, Charlotte, North Carolina.

THE VIDEOGRAPHER: Today's date is March 22, 2018. The time on the monitor is approximately 8:56 a.m. and we're now on the record. Here begins volume two, media number one, in the 30(b) (6) deposition of Paul Kejik in the matter of Baronius Press, LTD, Plaintiffs, versus Saint Benedict Press LLC, Defendant.

The case is in the United States District Court for the Western District of North Carolina, Charlotte Division, Case Number 3:16-cv-00695-gcm. Location of the deposition is the law offices of Essex Richards PA at 1701 South Boulevard, Charlotte, North Carolina 28203.

My name is Sean Lowther, videographer. The court reporter is Mary Labonte. And we are representing CaseWorks Court Reporting.

If counsel would please state your name and who you represent starting with Attorney Potter.

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1 Basically people knowing the Fundamentals are not
2 being updated, full of errors, doctrinal errors, they
3 turn to a similar -- similar work and basically
4 started buying that we believe.

5 MR. BUCHAN: Could you say the name of that
6 title one more time --

7 THE WITNESS: Yes.

8 MR. BUCHAN: -- clearly for us and spell it
9 if you can?

10 THE WITNESS: I'm not -- I can't spell it.
11 It's Denzinger-Hunermann Compendium. It's from
12 Ignatius Press. It's got a really long Latin name,
13 but by that, it should be easily searchable.

14 Q. So if there's a competing product that you
15 contend is superior to what Saint Benedict Press has
16 been printing, how is that harm to you -- how does
17 that harm Baronius?

18 A. I didn't say it's superior. It's now -- it
19 has become the choice for people who basically are
20 abandoning this edition in order to get at least
21 something. Catholics don't like to buy books which is
22 not correct. And if they want to strengthen their
23 faith, if they want to refer to something, they buy a
24 product which basically gives them what they want.
25 And they -- if you search for books available on the

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1 market, you come across this. It's not entirely --
2 it's on a similar subject.

3 If I understood it correctly from my
4 colleague, some parts you can find in here. And if
5 somebody is looking for something specific, they just
6 buy this product in order to refer to that.

7 Q. What colleague are you referring to?

8 A. Carlos Antonio Palad, the coeditor of
9 Fundamentals.

10 Q. What other damages do you contend Baronius
11 Press has suffered as a result of Saint Benedict's
12 publication of Fundamentals of Catholic Dogma?

13 A. It was the time we had to spend on this case
14 defending our rights and all the legal costs we
15 incurred.

16 Q. Has Baronius Press suffered a quantifiable
17 monetary loss as a result of Saint Benedict Press's
18 publication of Fundamentals of Catholic Dogma?

19 A. I believe it has, but I am not competent to
20 quantify it. It would have to be a professional who
21 is familiar with how to quantify this amount.

22 Q. So why haven't you been able to quantify it?

23 A. Well, we still do not have the full amount
24 of the exact number of copies that Saint Benedict
25 Press sold. I believe we requested it in November and

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1 since -- since your client still keeps selling this,
2 it's very difficult to quantify it. Had you client
3 stopped selling it, we would have been able to
4 start -- start the process.

5 Q. But you should be able -- you've been given
6 some information about what they sold, I believe
7 fairly recent information as to what they've sold. So
8 you've not been able to calculate the damages with
9 what we've given you to date?

10 A. I mean, in the last three months, your
11 client could have sold another 1,000 or 2,000 copies.
12 We don't know.

13 Q. And if you had the exact number, would
14 you -- who at Baronius Press would be doing the
15 calculations?

16 A. Nobody at Baronius Press. I said a
17 professional who is qualified and who would be able to
18 give the proper numbers based on their qualification.

19 Q. Okay.

20 A. Whether an accountant or forensic accountant
21 or some kind of damage professional.

22 Q. So no one at Baronius Press would be
23 qualified to provide that information?

24 A. No.

25 Q. Okay. Baronius Press has alleged in its

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1 amended complaint that Saint Benedict Press knowingly
2 and willfully engaged in acts intended to damage
3 Baronius. And I believe you even published a similar
4 statement on your website at some point. Do you
5 recall that?

6 A. We did not publish it.

7 Q. Okay. Let me hand you -- what exhibit
8 number are we on?

9 A. Sixteen.

10 THE VIDEOGRAPHER: Hold on a minute.

11 MR. ISHMAN: 17.

12 THE VIDEOGRAPHER: I think you're at 17.

13 MS. POTTER: 17. Just so we're clear.

14 (Exhibit Number 17 was marked for
15 identification.)

16 Q. So I've handed you what's labeled as
17 Exhibit 17. Can you read that over?

18 A. All of it?

19 Q. No. Just review it and identify it. Tell
20 me what it is.

21 A. It is a draft screenshot of -- of what --
22 well, of what we were thinking of publishing on our
23 website, which we sent to Saint Benedict Press.

24 Q. Okay. So it was never published?

25 A. No.